

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BUWLUS A. MUHAMMAD,

Petitioner,

v.

KENNETH R. CAMERON, et al.,

Respondents.

Civil Action No. 10-33 Erie

MEMORANDUM ORDER

This habeas action was received by the Clerk of Court on February 8, 2010 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 20], filed on December 10, 2010, recommended that the Respondents' motion to dismiss [Doc. No. 17] be granted, that the case be dismissed, and that a certificate of appealability be denied. It was further recommended that the Petitioner's motion to stay [Doc. No. 19] be denied. The parties were allowed fourteen (14) days from the date of service to file objections and service was made on Petitioner by certified mail. No objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 28th day of December, 2010;

IT IS HEREBY ORDERED that the Respondents' motion to dismiss [Doc. No. 17] is GRANTED and the Petitioner's Petition for Writ of Habeas Corpus is DISMISSED and a certificate of appealability is DENIED. IT IS FURTHER ORDERED that the Petitioner's motion to stay [Doc. No. 19] is DENIED.

The Report and Recommendation [Doc. No. 20] of Magistrate Judge Baxter, filed on December 10, 2010 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge